

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Takashi OKADA, et al. Confirmation No.: 6540  
 Appl. No. : 10/554,246  
 Filed : October 25, 2005  
 Title : GENE INTRODUCTION EFFICIENCY ENHANCER  
  
 TC/A.U. : Not Assigned Yet  
 Examiner : Not Assigned Yet  
  
 Docket No.: OKAD3006/GAL  
 Customer No: 23364

**RESPONSE AND SUBMISSION OF MISSING PARTS OF APPLICATION  
HAVING BEEN GRANTED FILING DATE**

**MS MP**  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

This is in response to the Official Action dated October 10, 2006, in connection with the above-identified application.

The Official Action acknowledges receipt of the application, but indicates that the Declaration and English translation of the above-identified application are missing. Applicants submit herewith a properly and fully executed Declaration which identifies the application by application number and filing date as well as the verified English translation of the above-identified application. The serial number and filing date are provided above and are given on attached form PTO-1533 along with the required \$260.00 surcharge.

The Official Action further indicates that the application fails to comply with the requirements of 37 CFR 1.821-1.825 because a copy of the Sequence Listing in computer readable form has not been submitted. Applicants submit herewith the required Sequence

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Response dated: December 8, 2006  
Reply to OA of: October 10, 2006

Listing in computer readable form and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written sequence listing.

It is believed that the application is now in condition for examination. Accordingly, Applicants most respectfully request that the application be forwarded to the appropriate examining group for its examination.

Respectfully submitted,

BACON & THOMAS, PLLC

By:   
Richard E. Fichter  
Registration No. 26,382

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REF/cjw  
Notice To File Missing Parts of Non-Provisional.wpd  
December 8, 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/554,246	Takashi Okada	OKAD3006/GAD
		INTERNATIONAL APPLICATION NO.
		PCT/JP04/05166
		I.A. FILING DATE      PRIORITY DATE
		04/09/2004      04/25/2003
<b>CONFIRMATION NO. 6540</b>		
<b>371 FORMALITIES LETTER</b>		
*OC000000020753387*		

Date Mailed: 10/10/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/25/2005
- Copy of the International Search Report filed on 10/25/2005
- Copy of IPE Report filed on 10/06/2006
- Preliminary Amendments filed on 03/29/2006
- Information Disclosure Statements filed on 02/01/2006
- Request for Immediate Examination filed on 10/25/2005
- U.S. Basic National Fees filed on 10/25/2005
- Priority Documents filed on 10/25/2005
- Specification filed on 10/25/2005
- Claims filed on 10/25/2005
- Abstracts filed on 10/25/2005
- Drawings filed on 10/25/2005
- Paper nucleotide sequence listings filed on 10/25/2005

Date 10/13/06 Atty GAL  
 Action Due Missing Reg'ts  
 Deadline 12/18/06  
 Final Deadline 5/10/07  
 Based on \_\_\_\_\_

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Processing fee of \$130 for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(i)).

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$260** for a Large Entity:

- **\$130 Surcharge.**
- **\$130 for English translation surcharge required.**
- This application clearly fails to comply with the requirements of 37 CFR 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

WINSTON M ALVARADO

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Telephone: (703) 308-9140 EXT 206

PART 1 - ATTORNEY/APPLICANT COPY

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/554,246	PCT/JP04/05166	OKAD3006/GAD

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FORM PCT/DO/EO/905 (371 Formalities Notice)